

IN THE
United States Court of Appeals for the Eighth Circuit

IOWA MIGRANT MOVEMENT FOR JUSTICE, *ET AL.*,
Plaintiffs-Appellees,

v.

BRENNA BIRD, IN HER OFFICIAL CAPACITY AS ATTORNEY GENERAL OF IOWA,
Defendant-Appellant,

KIMBERLY GRAHAM AND ZACH HERRMANN,
Defendants.

On Appeal from the United States District Court
for the Southern District of Iowa
4:24-cv-00161-SHL
(The Honorable Stephen H. Locher)

**UNOPOSED MOTION FOR EXTENSION OF TIME
TO SEEK REHEARING EN BANC**

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October 23, 2025

Counsel for Defendant-Appellant

Pursuant to Federal Rule of Appellate Procedure 26(b), Eighth Circuit Local Rule 27A(a)(13), and Eighth Circuit Internal Operating Procedure IV.D, Petitioners request a 14-day extension of time to petition for rehearing en banc.

A panel of this Court issued its opinion and judgment on October 23, 2025, affirming the district court's ordering granting a preliminary injunction.

Federal Rule of Appellate Procedure 40(d) requires a petition for rehearing en banc be filed within 14 days after the Court enters judgment.

Appellant's present deadline to petition for rehearing en banc is November 6, 2025.

Eighth Circuit Local Rule 27A(a)(13) allows extensions of that time of up to 14 days.

Due to significant professional obligations for counsel, including oral argument before the Iowa Supreme Court and Iowa Court of Appeals, as well as pre-planned medical related days out of office, additional time is necessary to complete the supplemental brief.

Appellees consent to this request.

WHEREFORE, Appellant Brenna Bird respectfully requests a 14-day extension—up to and including November 20, 2025—to file her initial petition for rehearing en banc.

October 23, 2025

Respectfully submitted,

/s/ Eric Wessan
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CERTIFICATE OF COMPLIANCE

Pursuant to Federal Rule of Appellate Procedure 32(g) and Local R. 25A, I hereby certify that this motion complies with Federal Rule of Appellate Procedure 27(d)(1)(E) because it was prepared in Century Schoolbook 14-point, and complies with Federal Rule of Appellate Procedure 27(d)(2) because it contains 176 words, according to the word count of Microsoft Word.

October 23, 2025

/s/ *Eric Wessan*
ERIC WESSAN
Solicitor General

Counsel for Defendant-Appellant

CERTIFICATE OF SERVICE

I certify that the foregoing was filed with the Clerk using the appellate CM/ECF system on October 23, 2025. All counsel of record are registered CM/ECF users, and service will be accomplished by the CM/ECF system.

/s/ Eric Wessan

ERIC WESSAN

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